

DECLARATION FOR PATENT APPLICATION

Original
 PCT

Supplemental

Substitute

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a design patent is sought on the invention entitled:

ADJUSTABLE SHELVING UNIT

(Title of the Invention)

the specification of which (check one)

is attached hereto

was filed on _____ as U. S. Application Serial

Number or PCT International Application Number _____

and was amended _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below , any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications			Priority Claimed		Copy Attached	
Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	YES	NO	YES	NO

Inventor: Derek Metcalf
 For: Adjustable Shelving Unit
 Filed: 03/23/2004
 Attorney Docket No.: 38949/298702
 Declaration for Patent Application
 Page 2

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Parent Application Number	Filing Date	Status (Mark Appropriate Column Below)		
		Patented	Pending	Abandoned
10/643,352	08/19/03		✓	
10/699,396	10/30/03		✓	

As a named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

CUSTOMER NO.
23370

FIRM NAME: KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309-4530

Attorney and/or Agent	Registration No.
Anthony B. Askew	24,154
John M. Harrington	25,592
Robert E. Richards	29,105
John S. Pratt	29,476
James L. Ewing, IV	30,630
Stephen M. Schaetzl	31,418
James Dean Johnson	31,771
Charles W. Calkins	31,814
Larry A. Roberts	31,871
Jamie L. Greene	32,467
George T. Marcou	33,014
Dean W. Russell	33,452
David Krasnow	34,203

Attorney and/or Agent	Registration No.
John William Ball, Jr.	44,433
Dawn-Marie Bey	44,442
Tiep H. Nguyen	44,465
Michael J. Dimino	44,657
Lisa C. Pavento	44,669
Kristin L. Johnson	44,807
J. Jason Link	44,874
Goran P. Stojkovich	45,841
Vaibhav P. Kadaba	45,865
J. Michael Boggs	46,563
Tywanda L. Harris	46,758
Cynthia B. Rothschild	47,040
John C. Alemani	47,384

Inventor: Derek Metcalf
For: Adjustable Shelving Unit
Filed: 03/23/2004
Attorney Docket No.: 38949/298702
Declaration for Patent Application
Page 3

Attorney and/or Agent	Registration No.
Charles T. Simmons	35,359
Bruce D. Gray	35,799
Mitchell G. Stockwell	39,389
Brenda Ozaki Holmes	40,339
Michael J. Turton	40,852
Yoncha L. Kundupoglu	41,130
J. Steven Gardner	41,772
Thomas A. Corrado	42,439
John K. McDonald	42,860
Sima Singadia Kulkarni	43,732
Camilla Camp Williams	43,992
Christopher J. Chan	44,070

Attorney and/or Agent	Registration No.
Geoffrey K. Gavin	47,591
Aleta A. Mills	47,794
Leroy M. Toliver	50,409
Todd W. Galinski	51,713
Elena S. Polovnikova	52,130
Samuel B. Rollins	52,180
Catherine E. Fiennig	54,095
J. Clinton Wimbish	54,545
Bret T. Winterle	54,546
Michael A. Bertelson	54,713
Katrina M. Quicker	55554

I acknowledge the above-listed attorneys and agents and their firm Kilpatrick Stockton LLP represent my employer (if I am an employee and this application has been or will be assigned to my employer) or the entity with which I have contracted (if I am an independent contractor and this application has been or will be assigned to such entity) and in such cases do not represent me individually. I further acknowledge I have not established, nor will I seek to establish, any personal attorney/client relationship with Kilpatrick Stockton LLP in connection with this application and understand that, should I require legal representation, I will obtain such, at my expense, other than through Kilpatrick Stockton LLP.

Send Correspondence to: John S. Pratt, Esq.
Kilpatrick Stockton LLP
1100 Peachtree Street,
Suite 2800
Atlanta, Georgia 30309-4530

CUSTOMER NO.

23370

Direct telephone calls to: Michael A. Bertelson (404) 815-6291

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that

Inventor: Derek Metcalf
For: Adjustable Shelving Unit
Filed: 03/23/2004
Attorney Docket No.: 38949/298702
Declaration for Patent Application
Page 4

such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Derek Metcalf

Inventor's signature _____ Date _____

Residence 51 Shore Drive, Burr Ridge, IL 60527

Citizenship US

Post Office Address 51 Shore Drive, Burr Ridge, IL 60527